

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

36th Legislative Day

5/8/2007

HB0773	First Reading	3
HB0827	First Reading	3
HB1246	First Reading	3
HB1263	First Reading	3
HB1335	First Reading	3
HB1447	First Reading	3
HB1605	First Reading	3
HB1784	First Reading	3
HB1823	First Reading	3
HB1871	First Reading	4
HB2002	First Reading	4
HB2071	First Reading	4
HB2306	First Reading	4
HB2758	First Reading	4
HB2820	First Reading	4
HB3014	First Reading	4
HB3135	First Reading	4
HB3361	First Reading	4
SB0243	Third Reading	6
SB0280	Third Reading	10
SB0310	Third Reading	14
SB0314	Recalled	17
SB0314	Third Reading	18
SB0393	Third Reading	30
SB0394	Third Reading	32
SB0395	Third Reading	19
SB0439	Recalled	20
SB0439	Third Reading	21
SB0484	Recalled	24
SB0484	Third Reading	25
SB0509	Recalled	26
SB0509	Third Reading	27
SB0544	Recalled	32
SB0544	Third Reading	34
SB0697	Recalled	35
SB0697	Third Reading	36
SB0710	Third Reading	37
SB0764	Recalled	38
SB0764	Third Reading	40
SB0765	Recalled	44
SB0765	Third Reading	45
SR0167	Resolution Offered	2
SR0168	Resolution Offered	2

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

36th Legislative Day

5/8/2007

SR0169	Resolution Offered	2
SR0170	Resolution Offered	2
SR0171	Resolution Offered	2
SJR0051	Resolution Offered	2
Senate to Order-Senator Martinez		1
Prayer-The Reverend Paul Sims		1
Pledge of Allegiance		1
Journal-Approved		1
Messages from the House		2
Introduction of Guests-Senator Brady		3
Committee Reports		11
Adjournment		48

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

36th Legislative Day

5/8/2007

PRESIDING OFFICER: (SENATOR MARTINEZ)

The regular Session of the 95th General Assembly will please come to order. Will the Members please be at their desks? Will our guests in the galleries please rise? The invocation today will be given by Reverend Paul Sims, Gethsemane Baptist Church, Newport News, Virginia.

THE REVEREND PAUL SIMS:

(Prayer by the Reverend Paul Sims)

PRESIDING OFFICER: (SENATOR MARTINEZ)

Please remain standing for the Pledge Allegiance. Senator Maloney.

SENATOR MALONEY:

(Pledge of Allegiance, led by Senator Maloney)

PRESIDING OFFICER: (SENATOR MARTINEZ)

Madam Secretary, Reading and Approval of the Journal. Senator Hunter.

SECRETARY SHIPLEY:

Senate Journal of Thursday, May 3rd, 2007.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Senator Hunter.

SENATOR HUNTER:

Madam Chairwoman, I move that the Journal just read by the Secretary be approved, unless some Senators has additions or corrections to offer.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Senator Hunter moves to approve the Journals just read by the Secretary. There being no objections, so ordered. Madam Secretary, Resolutions.

SECRETARY SHIPLEY:

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

36th Legislative Day

5/8/2007

Senate Resolution 171, offered by Senator Watson and all Members.

And Senate Joint Resolution 51, offered by Senator DeLeo, Harmon and all Members.

They're both death resolutions, Madam President.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Resolution Consent Calendar. Madam Secretary, any other resolutions?

SECRETARY SHIPLEY:

Senate Resolution 167, offered by Senators Watson, Rutherford and all Republican Senators.

Senate Resolution 168 and 169, offered by Senator Garrett.

And Senate Resolution 170, offered by Senator Hunter.

They're all substantive, Madam President.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Madam Secretary, Messages.

SECRETARY SHIPLEY:

A Message from the House by Mr. Mahoney, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to wit:

House Bill 495.

We've received like Messages on House Bills 1447, 1627, 1871 and 3361.

All passed the House, May 3rd, 2007. Mark Mahoney, Clerk of the House.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Can I have your attention please? Senator Brady will

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

36th Legislative Day

5/8/2007

introduce some guests that are visiting Springfield.

SENATOR BRADY:

Thank you -- thank -- thank you, Madam President. I would simply ask my colleagues in the Illinois State Senate to help me welcome, after I introduce, some constituents from my district. Most of you might be intimidated by them, as I am. They are the Chess championship team of the State of Illinois. They are from Unit District 87, Bloomington High School. Please join me in congratulating them with a round of applause.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Madam Secretary, House reading -- House Bills 1st Reading.

SECRETARY SHIPLEY:

House Bill -- 773, offered by Senator -- Halvorson.

(Secretary reads title of bill)

House Bill 827, offered by Senator Haine.

(Secretary reads title of bill)

House Bill 1246, offered by Senator Haine.

(Secretary reads title of bill)

House Bill 1263, offered by Senator Demuzio.

(Secretary reads title of bill)

House Bill 1335, offered by Senator Delgado.

(Secretary reads title of bill)

House Bill 1447, offered by Senator Harmon.

(Secretary reads title of bill)

House Bill 1605, offered by Senator Clayborne.

(Secretary reads title of bill)

House Bill 1784, offered by Senator Demuzio.

(Secretary reads title of bill)

House Bill 1823, offered by Senator Haine.

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

36th Legislative Day

5/8/2007

(Secretary reads title of bill)

House Bill 1871, offered by Senator Harmon.

(Secretary reads title of bill)

House Bill 2002, offered by Senator Crotty.

(Secretary reads title of bill)

House Bill 2071, offered by Senator Dillard.

(Secretary reads title of bill)

House Bill 2306, offered by Senator Haine.

(Secretary reads title of bill)

House Bill 2758, offered by Senator Munoz.

(Secretary reads title of bill)

House Bill 2820, offered by Senator Sullivan.

(Secretary reads title of bill)

House Bill 3014, offered by Senator Harmon.

(Secretary reads title of bill)

House Bill 3135, offered by Senator Sieben.

(Secretary reads title of bill)

And House Bill 3361, offered by Senator Lightford.

(Secretary reads title of bill)

3rd -- 1st Reading of the bills.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Senator Pankau, for what purpose do you rise?

SENATOR PANKAU:

For a matter of personal privilege, Madam Chairman.

PRESIDING OFFICER: (SENATOR MARTINEZ)

State your privilege.

SENATOR PANKAU:

I'd like to introduce to everybody today my Page for the Day. His name is Adam Robinson. Adam, stand up. He's ten years

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

36th Legislative Day

5/8/2007

old. He's from Roselle, Illinois, and he's here with his parents, Mr. and Mrs. Jay Robinson and his sister, Kayla. Would everybody give him a rousing welcome to the Illinois Senate?

PRESIDING OFFICER: (SENATOR MARTINEZ)

Thank you. Welcome to Springfield. Senator Hunter, for what purpose do you... Senator Holmes, what purpose do you rise? Linda Holmes.

SENATOR HOLMES:

Thank you, Madam President. I -- point of personal privilege.

PRESIDING OFFICER: (SENATOR MARTINEZ)

State your purpose.

SENATOR HOLMES:

I would like to welcome my mother, Mary Panagopoulos, to Springfield. She's in from Schaumburg. She's here with her two sisters: my aunt Kay from San Diego, who actually, back in the 50s, worked here in the Capitol Building; and her other sister, my aunt Dorothy from Chicago. They're up in the gallery.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Will our guests in the galleries please rise? Will Members of the Senate please welcome them to Springfield? Senator Althoff, what purpose do you rise?

SENATOR ALTHOFF:

Good morning, Madam President. Point of personal privilege.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Please state your purpose.

SENATOR ALTHOFF:

Thank you. I have members of the sixth grade, Northwood Middle School from Woodstock, Illinois, with me today. They're

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

36th Legislative Day

5/8/2007

here as part of the Technology Emersion Pilot Project and I'd like to introduce them to everyone. I have Tony Zappa, Astoncia Bhagat, Lidia Pinto, Trevor Nomm, and their teachers, Kathy Shea and Katie Spaldon. May we welcome them to Springfield, please?

PRESIDING OFFICER: (SENATOR MARTINEZ)

Members of the Senate, please welcome our young people to the Senate Chamber. We are proceeding to 3rd Reading. We're going to the bottom of page 4. We'll begin with Senate -- with House Bill -- Senate Bill 229, is where we leave -- we left off on Thursday. Senator Silverstein, on Senate Bill 229. Senator Collins, on... Senator Righter, on Senate Bill 234. Senator Ronen, on Senate Bill 243. Senator Ronen, do you wish to proceed? Madam Secretary, read the bill.

SECRETARY SHIPLEY:

Senate Bill 243.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Senator Ronen.

SENATOR RONEN:

Thank you, Madam President. You look wonderful up there. It's great to see you. This bill seeks to ensure access to care through community-based hospital services. It regulates some of the ambulatory surgical treatment centers - ASTCs. For each licensing period, an ASTC must do one of the following: They must either create a plan that will service Medicaid and underserved populations, create a plan to provide charity care, or commit to serve all Medicaid recipients. This bill has no opposition that I know of and I'd ask for the support of this

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

36th Legislative Day

5/8/2007

Body, and I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Is there any discussion? Senator Righter.

SENATOR RIGHTER:

Thank you, Madam President. Will the sponsor yield, please?

PRESIDING OFFICER: (SENATOR MARTINEZ)

Will sponsor yield?

SENATOR RIGHTER:

Thank you. Senator Ronen, the facility has to submit a plan. Are there any ramifications for either failing to submit a plan or if the plan articulates what someone would deem to be an insufficient service plan for Medicaid recipients?

PRESIDING OFFICER: (SENATOR MARTINEZ)

Senator Ronen.

SENATOR RONEN:

You know, I'm not sure if there are ramifications for that. That's a very good question. I -- I -- I -- I would think, though, that -- I -- I don't know the answer to that.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Senator Righter.

SENATOR RIGHTER:

Thank you, Madam President. Senator Ronen, I guess the reason I ask is that, I mean, we have a process set up in place right now through the Health Facilities Planning Board to approve facilities, new facilities like this and many other kinds of medical facilities, and if we're going to change the -- the rules for these particular types of -- of entities, I think it -- it -- it begs the question, should we be changing the rules for -- for all of them? So, I -- I think that's a -- that's a critical

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

36th Legislative Day

5/8/2007

answer to have maybe before the -- the Members of the General Assembly are asked to vote on the bill.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Senator Ronen.

SENATOR RONEN:

What -- I -- I -- I'm not sure that I understand your question. We're -- we are changing them, all of them. This gives the Department of Public Health the ability, when they're renewing their license, to make sure that these things -- these standards have been met. If they haven't been met, then their license might not be renewed. So I think that's the answer to your question and this would -- we're not talking about changing rules at the Illinois Facilities Planning Board.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Senator Righter.

SENATOR RIGHTER:

Thank you, Madam President. So, let's -- let's talk about two different scenarios: One, when the surgery center is first sited or approved for siting by the Health Facilities Planning Board; and then later when it seeks a renewal of its license. Those are two different events. What you're saying is, is that we're changing the rules for these in terms of renewing the license that they were originally given. We are not changing the rules with regards to their ability to be approved up front by the Health Facilities Planning Board. Is that an accurate statement?

PRESIDING OFFICER: (SENATOR MARTINEZ)

Can we please quiet it down a little bit? Senator Ronen.

SENATOR RONEN:

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

36th Legislative Day

5/8/2007

This has to do with any renewal period, new -- any licensing period, I should say, new or renewed, where the Department of Health...

PRESIDING OFFICER: (SENATOR MARTINEZ)

Senator Ronen, hold -- hold one second. Can we please quiet it down a little bit? Proceed, Senator Ronen.

SENATOR RONEN:

Thank you, Madam President. Where the Department of Public Health issues a license, whether it's new or renewal, they have now the -- the capacity to look at these factors. This is not changing any role or responsibility of the Health Facilities Planning Board. I thought your earlier question was, is there were some kind of, you know, penalty or something, and that's not the case. There is no penalty. The issue is whether they renew it or don't renew it and that -- that's the facts. What we're trying to do here is stop this cherry-picking that's going on and making sure that communities have -- and people in neighborhoods have access to health care, and I think this change will help to do that.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Senator Righter.

SENATOR RIGHTER:

Thank you, Madam President. To the bill: I simply rise in support of the bill. I think that the issue of -- of specialty health care centers in general and the kind of facilities that this bill aims to deal with is an increasing problem here in Illinois, particularly when it comes to the fact that more and more Illinoisans are having trouble getting access to health care because of -- of problems with our Medicaid program. I would

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

36th Legislative Day

5/8/2007

urge an Aye vote.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Ladies and Gentlemen, it is a little bit too loud in here and I cannot hear what the Senator is saying. Can we please lower it a little bit? Any further discussion? If not, Senator Ronen, to close.

SENATOR RONEN:

I would thank Senator Righter for his support and I would ask all the colleagues -- my colleagues to vote Aye.

PRESIDING OFFICER: (SENATOR MARTINEZ)

The question is, shall Senate Bill 243 pass. Those in favor will vote Yes. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there is 51 voting Yea, 2 voting Nay, 0 voting Present. Senate Bill 243, having received the required constitutional majority, is declared passed. Senate Bill 268. Senator Collins. Senate Bill 280. Senator Halvorson. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

Senate Bill 280.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Senator Halvorson.

SENATOR HALVORSON:

Thank you, Madam President and Members of the Senate. Senate Bill 280 increases the amount of time a school has to make tuition refunds to students from thirty days to forty-five days and adds that that time period for refunds can begin after the

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

36th Legislative Day

5/8/2007

date the school determines the student withdrew, not simply the date of cancellation. That's it.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Any discussion? Seeing none, Senator Halvorson, to close. The question is, shall Senate Bill 280 pass. Those -- those voting -- those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 55 voting Yea, 0 voting Nay, 0 voting Present. Senate Bill 280, having received the required constitutional majority, is declared passed. The Rules Committee will vote {sic} immediately in the President's Antechamber. The Rules Committee will meet immediately. Madam Secretary, Committee Reports.

SECRETARY SHIPLEY:

Senator Halvorson, Chairman of the -- of the Committee on Rules, reports the following Legislative Measures have been assigned: Refer to Agriculture and Conservation Committee - Committee Amendment No. 1 to House Bill 822 and Committee Amendment No. 1 to House Bill 3614; refer to Environment and Energy Committee - Floor Amendment No. 1 to Senate Bill 661 and Committee Amendment No. 1 to House Bill 351; refer to Executive Committee - Floor Amendments No. 1 and 2 to Senate Bill 1; refer to Human Services Committee - Committee Amendment No. 1 to House Bill 202, Committee Amendment No. 1 to House Bill 734, Committee Amendment No. 1. to House Bill 982 and Committee Amendment No. 1 to House Bill 1301; refer to Judiciary-Civil Law Committee - Committee Amendment No. 1 to House Bill 619 and Committee Amendment No. 1 to House Bill 3393; refer to Judiciary-Criminal

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

36th Legislative Day

5/8/2007

Law Committee - Committee Amendment No. 1 to House Bill 39, Committee Amendment No. 1 to House Bill 174, Committee Amendment No. 2 to House Bill 722 and Committee Amendment No. 1 to House Bill 855; refer to Local Government Committee - Committee Amendment No. 1 to House Bill 140; refer to Public Health Committee - Floor Amendments No. 1 and 2 to Senate Bill 5, Committee Amendment No. 1 to House Bill 981, Committee Amendment No. 1 to House Bill 1072, Committee Amendment No. 1 to House Bill 1256 and Committee Amendment No. 1 to House Bill 1279; refer to Revenue Committee - Motion to Concur with House Amendment No. 1 to Senate Bill 1395; refer to State Government and Veterans Affairs Committee - Floor Amendment No. 1 to Senate Bill 767; and refer to Transportation Committee - Committee Amendment No. 1 to House Bill 1116, Committee Amendment No. 1 to House Bill 1491, Committee Amendment No. 1 to House Bill 1499 and Committee Amendment No. 1 to House Bill 3412.

Senator Debbie Halvorson, Chairman. May 8th, 2007.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Senator Hendon, for what purpose do you rise?

SENATOR HENDON:

Purposes of an announcement, Madam President.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Please state your announcement.

SENATOR HENDON:

The Executive Committee will meet at 2:05 in Room 212 today. 2:05, Room 212, today, the Executive Committee will meet.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Can I have your attention, please? Ladies and Gentlemen of the Senate, can I have your attention? Today's committees will

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

36th Legislative Day

5/8/2007

be postponed by one hour and a half. So those committees that were meeting at 1 o'clock -- and so all the committees today will meet one and a half hour later than scheduled. Senator Garrett, for what purpose do you rise?

SENATOR GARRETT:

Yes. This is to announce - for purpose of announcement - that Public Health will be meeting today in Room 400 at 2:30. Thank you.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Senator Bond, for what purpose do you rise?

SENATOR BOND:

A point of personal privilege.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Please state your purpose.

SENATOR BOND:

I would like to introduce my son, Ethan Bond, who's six year old -- six years old and he is my Honorary Page today. I'd like everyone to offer Ethan Bond a warm Springfield welcome.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Will Members of the Senate please welcome Ethan? Welcome to Springfield. Senator Jacobs, for what purpose do you rise?

SENATOR JACOBS:

Point of information.

PRESIDING OFFICER: (SENATOR MARTINEZ)

State your purpose.

SENATOR JACOBS:

Housing and Community Affairs will meet at 4 o'clock.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Can we please have your attentions? We're making some

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

36th Legislative Day

5/8/2007

announcements.

SENATOR JACOBS:

409 -- Room 409.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Senator Jacobs.

SENATOR JACOBS:

Housing/Community Affairs at 4 o'clock, Room 409.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Ladies and Gentlemen, we're going to continue with Senate Bills on 3rd Reading. We are on page 5, the middle of the page. Senator Sullivan, on Senate Bill 310. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

Senate Bill 310.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Senator Sullivan.

SENATOR SULLIVAN:

Yes, thank you, Madam Chairman. Has the amendment been adopted on this bill?

PRESIDING OFFICER: (SENATOR MARTINEZ)

Yes, it has.

SENATOR SULLIVAN:

Very good. Thank you. Senate Bill 310 would require that any person selling residential real estate to indicate on the property disclosure report whether or not the property has been used for the manufacture of methamphetamine. If the property has been used for that purpose, the seller must identify that. Be

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

36th Legislative Day

5/8/2007

more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Is there any questions? Discussion? Senator Rutherford. Please quiet it down. Can we please have it a little bit quieter here in the Chamber, please?

SENATOR RUTHERFORD:

Thank you, Madam -- thank you, Madam President. Senator Sullivan, you -- you did ask if the amendment was adopted and -- and we now know that it is. Just to clarify, the amendment will change the bill such that it moves the effective date back, I believe, six months and provides -- and -- and the intent for that is to see if we can find some type of resolution from Washington, D.C., with regards to a declaration of remediation of methamphetamine. Is that somewhat correct in what the amendment did?

PRESIDING OFFICER: (SENATOR MARTINEZ)

Senator Sullivan.

SENATOR SULLIVAN:

Yes, that's absolutely right. With the purpose and the intent to put together a task force to -- hopefully on the federal level, to address some of these concerns. But if not, it gives us some time to -- to have a discussion over the course of the next six months. Absolutely.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Senator Rutherford.

SENATOR RUTHERFORD:

Thank you, Madam President. Then, Senator Sullivan, it is my understanding that with this amendment that the opposition that we had heard during the debate in committee has now been

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

36th Legislative Day

5/8/2007

lifted. Is that correct?

PRESIDING OFFICER: (SENATOR MARTINEZ)

Senator Sullivan.

SENATOR SULLIVAN:

That is my understanding as well. We worked with the Realtors Association, who initially were opposed to it. We worked with them on the language and some of the changes and recommendations, and they now are in support.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Senator Rutherford.

SENATOR RUTHERFORD:

Thank you, Madam President. Senator Sullivan, I stand in support of your legislation. I appreciate very much that you did hear the concerns from our constituencies and -- and in committee. You did go back and amend it to this extent and I would stand in support of your legislation, Senator Sullivan. Thank you.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Any further discussion? Seeing not, Senator Sullivan, to close.

SENATOR SULLIVAN:

I just ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR MARTINEZ)

The question is, shall -- shall Senate Bill 310 pass. Those in favor will vote Yes. Those opposed, Nay. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 56 Yes, 0 voting Nay, 0 voting Present. Senate Bill 310, having received the required constitutional majority, is declared

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

36th Legislative Day

5/8/2007

passed. Senate Bill 311. Senator Cullerton. Senate Bill 314. Senator Maloney. Senator Maloney seeks leave of the Body to return Senate Bill 314 to the Order of 2nd Reading for the purpose of an -- of an amendment. Having no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 314. Madam Secretary, are there any amendments approved for consideration?

SECRETARY SHIPLEY:

Yes, Madam President. Floor Amendment No. 2, offered by Senator Maloney.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Senator Maloney, to explain your amendment.

SENATOR MALONEY:

Thank you, Madam President. Floor Amendment 2 alleviates a concern that was quite legitimately raised by Senator Bomke relative to the intent of this bill, clarifying that the words -- it would become permissive rather than mandatory. Be glad to explain further on 3rd Reading.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Thank you. Is there any discussion? Senator Bomke. Senator Bomke.

SENATOR BOMKE:

I'm sorry, Madam President. To the bill: I was away from my desk and I thought we were on 3rd Reading, but I just simply rise in support of the bill. Appreciate Senator Maloney correcting what we thought was a little ambiguous. Do appreciate his efforts and would encourage an Aye vote on 3rd Reading.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Senator Maloney moves the adoption of amendment to Senate Bill 314. All those in favor will say Aye. Opposed, Nay. The

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

36th Legislative Day

5/8/2007

Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY SHIPLEY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR MARTINEZ)

3rd Reading. Now on the Order of 3rd Reading, Senate Bill 314. Senator Maloney, do you wish to proceed? Madam Secretary, read the bill.

SECRETARY SHIPLEY:

Senate Bill 314.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Senator Maloney.

SENATOR MALONEY:

Thank you, Madam President. This bill holds that bicycle and pedestrian ways be given consideration in the planning and development of transportation facilities in State transportation plans and programs. As I said, this is permissive. Senator Bomke raised that issue. I appreciate that. And there is also a -- a concern that Senator Risinger raised, and I would be interested in hearing his comment on this, that the bill is duplicitous. There is even disagreement among the various bicycle groups whether this is duplicitous or not. I would like to move the bill over to the House and get that clarification as the -- bill proceeds.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Any further discussion? Senator Risinger.

SENATOR RISINGER:

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

36th Legislative Day

5/8/2007

Thank you, Madam President. Yeah, in -- in committee, we talked about this a little bit. I believe it was Senator Garrett that passed a -- a bill a couple years ago that talked about contact-sensitive {sic} (context-sensitive) solutions for IDOT, and in that, it talks about addressing all modes of transportation, which includes pedestrian and bicycles. And in the Code, it -- for IDOT, it talks about addressing all those issues. So I think the -- I don't -- I don't think this bill is even necessary and I was a little concerned about us passing two bills and -- and trying to impress on IDOT that it's mandatory whenever the language just says "may" instead of "shall", and I appreciate the Senator changing that language. But in any case, I appreciate the Senator. They're going to talk about it over in the House, and -- and so I don't encourage a No vote. I encourage an Aye vote on this and -- and we'll address it then. Thank you.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Any further discussion? Seeing not, the question is, shall Senate Bill 314 pass. Those in favor, vote Aye. Those opposed, Nay. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 56 Aye, no -- 0 -- Nays, and 0 voting Present. Senate Bill 314, having received the required constitutional majority, is declared passed. Senator Harmon, on Senate Bill 322. Senator Hendon, on Senate Bill 328. Senator Sieben, on Senate Bill 346. Senator Harmon, on Senate Bill 378. Senator Frerichs, on Senate Bill 393. Senator Frerichs, on 394. Senator Frerichs, on Senate Bill 395. Madam Secretary, read the bill, please.

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

36th Legislative Day

5/8/2007

SECRETARY SHIPLEY:

Senate Bill -- Senate Bill 395.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Senator Frerichs.

SENATOR FRERICHS:

Thank you, Madam Chair. Senate Bill 395, as amended with Amendment No. 1, requires all State universities to provide instruction in safety education for all teachers that is appropriate to the grade level of the teaching certificate. This instruction may either be through safety education specific courses or incorporated in other subjects taught at the university. Under the bill as introduced, safety education is not tied to the appropriate grade level of the teaching certificate. I would take any -- answer any questions and ask a favorable vote.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Is there any discussion? Any discussion? Seeing not, the question is, shall Senate Bill 395 pass. Those voting in -- those in favor will vote Yes. Those opposed, Nay. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 55 voting Yes, 0 voting Nay, 0 voting Present. Senate Bill 395, having received the required constitutional majority, is declared passed. Senator Demuzio, on Senate Bill 399. Senate -- Senator Frerichs, on Senate Bill 439. Senator Frerichs seeks leave of the Body to return Senate Bill 439 to the Order of 2nd Reading for the purpose of an -- an amendment. Hearing no

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

36th Legislative Day

5/8/2007

objection, leave is granted. On the Order of 2nd Reading, Senate Bill 439. Madam Secretary, are there any amendments approved for consideration?

SECRETARY SHIPLEY:

Yes, Madam Secretary {sic}. Floor Amendment No. 2, offered by Senator Frerichs.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Senator Frerichs, to explain your amendment.

SENATOR FRERICHS:

Yes, thank you, Madam Chair. The amendment will -- permit a municipality to require the election authority prepare and provide special consolidated primary election absentee ballots that permit ranked runoff voting for municipal office candidates for use by absentee voters in the U.S. military or outside the U.S. on the consolidated primary and consolidated election days.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Is there any discussion? Senator Frerichs moves the adoption of Amendment No. 2 to Senate Bill 439. All those in favor will say Yea. Opposed, Nay. The Ayes -- the Yeas have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY SHIPLEY:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR MARTINEZ)

3rd Reading. Now on the Order of 3rd Reading, Senate Bill 439. Senator Frerichs, do you wish to proceed? Senator Frerichs. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

Senate Bill 439.

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

36th Legislative Day

5/8/2007

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Senator Frerichs.

SENATOR FRERICHS:

Thank you, Madam Chair. This bill aims to fix the issue faced by service men and women stationed overseas who do not have time to receive, cast, and return an absentee ballot between the municipal elections at the end February and the first week of April. The legislation allows all qualified voters that wish to participate in their local primary election the ability to do so while overseas serving our country, and out of the country, or for personal or business reasons during the time of primary elections. 439 permits a municipality to require the election authority to prepare and provide special consolidated absentee ballots that allow for ranked runoff voting for municipal office candidates for use by absentee voters in the U.S. military or outside the U.S. The State Board of Elections is required to adopt implementing these -- rules. The special ballot created by the bill will provide a list of all the contested municipal offices and the candidates for each office. The ballot permits the voter to vote in the runoff election by numerically indicating his or her order of preference for each candidate. The voter is not required to indicate his or her preference for more than one candidate on the ballot, and the election authority, if using a special ballot, shall prepare instructions for use of the ballot to reduce chance of error in the vote and counting process. And I would take questions.

PRESIDING OFFICER: (SENATOR MARTINEZ)

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

36th Legislative Day

5/8/2007

Any discussion? Senator Althoff.

SENATOR ALTHOFF:

Thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR MARTINEZ)

Sponsor indicates he'll yield.

SENATOR ALTHOFF:

Thank you. This bill came out of committee unanimously and is an excellent idea. However, for the record, Senator, I know the original intent was to have to only mail one ballot to individuals overseas. We learned though the process that now we still are going to require two ballots. Can you elaborate for me how this is different than our current practice today?

PRESIDING OFFICER: (SENATOR MARTINEZ)

Senator Frerichs.

SENATOR FRERICHS:

The difference is, today we send one ballot; after the election has been certified, we send another one. This will be sending two at one time. They can send it back in at the same time and thereby not disenfranchising any of our overseas military.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Any further discussion? Seeing not, shall Senate Bill 439 pass? Those in favor will vote Yes. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, we have 56 voting Yes, 0 voting Nay, 0 -- 0 voting Present. Senate Bill 439, having received the required constitutional majority, is declared passed. With the leave of the Body, we'll return to 445. Senator Harmon, on 482. Senate

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

36th Legislative Day

5/8/2007

Bill 482. Senator Haine, on Senate Bill 484. Senator Haine seeks leave of this Body to return Senate Bill 484 to the Order of 2nd Reading for the purpose of an -- of an amendment. Having no objection, leave is granted. On the Order of 2nd Reading to Senate Bill 484, Madam Secretary, are there any amendments approved for consideration?

SECRETARY SHIPLEY:

Floor Amendment No. 2, offered by Senator Haine.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Senator Haine, to explain your amendment.

SENATOR HAINE:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Floor Amendment No. 2 is basically the bill. It rewrites a Section of the Insurance Code having to do with cancellations. This Section was written some twenty years ago. It was written probably in haste, in -- inartfully written. And what this amendment seeks to do, with the approval of the Department and the insurance agents, is to clarify the language. It does not change, in any way, the requirement of notice to a policy holder of sixty days prior to a -- a -- a renewal or cancellation. So it doesn't change substantively the law. What it does is change some of the language to make it clearer and more precise. There aren't any opponents to the bill.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Is there any further discussion? Seeing none... Senator Haine -- Senator Haine moves the adoption of Amendment No. 2 to Senate Bill 484. All those in favor will vote -- will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any Floor -- further Floor amendments approved for

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

36th Legislative Day

5/8/2007

consideration?

SECRETARY SHIPLEY:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR MARTINEZ)

3rd Reading. Now on the Order of 3rd Reading, Senate Bill 484. Senator Haine, do you wish to proceed? Senator Haine, do you wish to proceed? Madam Secretary, read the bill.

SECRETARY SHIPLEY:

Senate Bill 484.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Senator Haine.

SENATOR HAINE:

Thank you, Madam President, Ladies and Gentlemen of the Senate. To reiterate, this does not change substantively Paragraph 143.17 {sic} (143.17a) of the Insurance Code, which requires commercial clients be given enough time to secure coverage in the event the insurer is nonrenewing the coverage. And there are other substantive provisions in there affecting nonrenewal by insurance companies. What this bill does, this -- this is to make it clear. The language is clear. It cleans -- cleans up some ambiguity and inartfully phrased sentences and provisions. There isn't an opponent to the bill. The -- this has been approved by inference with the Department. It's an initiative of the Independent Insurance Agents. And I -- I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Is there any discussion? Senator Brady.

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

36th Legislative Day

5/8/2007

SENATOR BRADY:

...President -- thank you, Madam President. And in this instance, I recommend we follow the Senator's lead and vote Aye.

PRESIDING OFFICER: (SENATOR MARTINEZ)

The question is, shall Senate Bill 484 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, we have -- the question, there are 54 voting Aye, 0 voting Nay, 1 voting Present. Senate Bill 484, having received the required constitutional majority, is declared passed. Senator Harmon, on Senate Bill 487. Senator Jacobs, on 494. Senate Bill 494. Senator Link, on Senate Bill 509. Madam Secretary, read the bill. Senator Link seeks leave of the Body to return Senate Bill 509 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 509. Madam Secretary, are there any amendments approved for consideration?

SECRETARY SHIPLEY:

Yes, Madam President. Floor Amendment No. 2, offered by Senator Link.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Senator Link, to explain your amendment.

SENATOR LINK:

Thank you, Madam President. This is just a basic amendment to work on some of the groups in the wholesale prescription drug bill. I'll be more than happy to answer questions on 3rd Reading.

PRESIDING OFFICER: (SENATOR MARTINEZ)

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

36th Legislative Day

5/8/2007

Any discussion? Seeing none, Senator Link moves the adoption of Amendment No. 2 to Senate Bill 509. All those in favor will say Aye. Opposed, Nay. The Ayes -- the Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY SHIPLEY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR MARTINEZ)

3rd Reading. Now on the Order of 3rd Reading, Senate Bill 509. Senator Link, do you wish to proceed? Madam Secretary, read the bill.

SECRETARY SHIPLEY:

Senate Bill 509.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Senator Link.

SENATOR LINK:

Thank you, Madam President. Senate Bill 509 creates the Wholesale Licensure and Prescription Medication Integrity Act. It provides that every resident of a -- wholesale distributor who engages in the wholesale distribution of prescription drugs must be licensed by the Department and every nonresident wholesale distributor must be licensed in the State if he ships prescription drugs in the State. This is a work in progress. We have met the -- the needs and the desires of almost everybody in concern of this. I think we only have one other group that we have to meet with and we are going to be adding that amendment in to the House on this and I think everybody will be in favor of

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

36th Legislative Day

5/8/2007

this bill. I'll be more than happy to answer any questions on it.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Any discussion? Senator Dillard.

SENATOR DILLARD:

Thank you, Madam President. As the chief sponsor said, this is a bill that is still being worked on, and I would urge an Aye vote here, I mean, if Senator Link - and I -- and I think he will - work this bill out with the parties. But if he doesn't, we'll have one more opportunity to see this in this Chamber. And I have faith in the sponsor that we'll get this pared down as well as we can. But I'd urge an Aye vote at this time. Thank you.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Thank you. Senator Lauzen.

SENATOR LAUZEN:

Thank you, Madam President. A question for the sponsor.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Will the sponsor yield? He indicate he will.

SENATOR LAUZEN:

Naturally, Senator, this area is dramatically and very quickly changing in -- both at the federal and the various state levels. Will this legislation basically make it easier or harder for consumers to buy inexpensive prescription medication?

PRESIDING OFFICER: (SENATOR MARTINEZ)

Senator Link.

SENATOR LINK:

Basically it just will ensure the quality of it, and I don't think it really will have a lot of the effect on if it will make it easier or harder.

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

36th Legislative Day

5/8/2007

PRESIDING OFFICER: (SENATOR MARTINEZ)

Senator Lauzen.

SENATOR LAUZEN:

Does this in any way prohibit wholesalers in the United States or resident in Illinois -- or, can you describe what the current law is as far as importing -- let's say, reimporting prescription medication that is manufactured even in the State of Illinois through like a Canadian source? What's the interplay between this legislation and what -- some people have been doing?

PRESIDING OFFICER: (SENATOR MARTINEZ)

Senator Link.

SENATOR LINK:

If -- if the question is will this be a way of taking drugs through Canada and bringing 'em back to Illinois, no, it will have no effect on that whatsoever. This bill will not be designed to have that effect whatsoever.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Senator Lauzen.

SENATOR LAUZEN:

Actually, it's -- it's not so much taking it through, but restricting choices that Illinois consumers might have. Will this have any effect on the choices that they would have under the law?

PRESIDING OFFICER: (SENATOR MARTINEZ)

Senator Link.

SENATOR LINK:

No, not to my knowledge at all.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Senator Lauzen.

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

36th Legislative Day

5/8/2007

SENATOR LAUZEN:

And then just a final question. One of the most important things as you're going through the thorough negotiation process that you go through, let's keep our Illinois pharmacists competitive with folks from other states, other countries also, and I'm sure that you're sensitive to that already.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Senator Link, to close.

SENATOR LINK:

Well, as someone who probably has more pharmaceutical companies in his district than anyone does in -- in their - I -- I could rattle off about a half a dozen to eight of 'em that are in my Senate district - I am very concerned about making sure that Illinois pharmaceutical companies are in competitive nature. I would just urge a very strong Aye vote on this. And as Senator Dillard said, if we can't work this out, we will definitely have another crack at this bill when it comes back. And I urge an Aye vote.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Seeing no further questions, the question is, shall Senate Bill 509 pass. Those in favor, vote Aye. Those opposed, Nay. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 56 voting Yes, 0 voting Nay, 0 voting Present. Senate Bill 509, having received the required constitutional majority, is declared passed. Senator Raoul, on Senate Bill 536. Senator Cullerton, on Senate Bill 537. With the leave of the Body, we are going to return back to the top of page 6 to Senate Bill 393. Senator Frerichs. Madam Secretary,

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

36th Legislative Day

5/8/2007

read the bill, please.

SECRETARY SHIPLEY:

Senate Bill 393.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Senator Frerichs.

SENATOR FRERICHS:

Thank you, Mr. -- Madam Chair. In provisions -- this bill deals with provisions restricting the operation of certain electronically powered four-wheeled motor vehicles and defining those vehicles as neighborhood electric vehicles. Provides that these restrictions also apply to certain gasoline-powered four-wheeled motor vehicles with an engine displacement of under twelve hundred cubic centimeters and changes the term to neighborhood electric {sic} vehicles. This was an issue brought to me by the University of Illinois for vehicles they use on their grounds. They're going to be in compliance with current law, but they have found that the gasoline-powered bills {sic} are more efficient, more reliable, and therefore we request this change.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Is there any discussion? Seeing none, the question is, shall Senate Bill 393 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 56 voting Aye, 0 voting Nay, 0 voting Present. Senate Bill 393, having received the required constitutional majority, is declared passed. Senator Frerichs,

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

36th Legislative Day

5/8/2007

on Senate Bill 394. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

Senate Bill 394.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Senator Frerichs.

SENATOR FRERICHS:

Thank you, Madam President. Senate Bill 394 moves the Police Training Institute of the University of Illinois at Urbana-Champaign from the oversight of the division of University Extension Services to the oversight of the Office of the Provost and Vice Chancellor of Academic Affairs. This is basically what is undergoing right now. It is supported by the Police Training Institute and the University of Illinois, and I would request a favorable vote.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Is there any discussion? Seeing none, the question is, shall Senate Bill 394 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 55 voting Aye, 1 voting Nay, 0 voting Present. Senate Bill 394, having received the required constitutional majority, is declared passed. Continuing at the top of page 7. Senate Bill 539. Senator Sullivan. On Senate Bill 544. Senator Delgado. Senator Delgado. Senator Delgado seeks leave of the Body to return Senate Bill 554 {sic} to the Order of 2nd Reading for the purpose of an amendment. Having no objection, leave is granted. Now on the Order of 2nd Reading is

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

36th Legislative Day

5/8/2007

Senate Bill 544. Madam Secretary, are there any amendments approved for consideration?

SECRETARY SHIPLEY:

Yes, Madam President. Floor Amendment No. 2, offered by Senator Delgado.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Senator Delgado, to explain your amendment.

SENATOR DELGADO:

Yes, thank you, Madam President, Members of the Senate. We'd -- request that we table Amendment No. 2.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Is there any discussion?

SENATOR DELGADO:

Have a motion to table Amendment No. 2. No. 3 is the one we'll be accepting.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Senator Delgado moves to table Amendment No. 2. All in favor will vote -- I mean, will say Aye. Opposed, Nay. The Ayes have it, and the amendment is tabled. Continuing on Senate Bill 544, are there any other Floor amendments?

SECRETARY SHIPLEY:

Yes, Madam President. Floor Amendment No. 3, offered by Senator Delgado.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Senator Delgado, to explain your amendment.

SENATOR DELGADO:

Thank you, Madam President and Members of the Senate. Floor Amendment No. 3 to Senate Bill 544 retains the underlying bill, as amended, and clarifies that a TTY, as opposed to a T.D.D.,

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

36th Legislative Day

5/8/2007

phone number should be available for the deaf or hard of hearing. In addition, Floor Amendment No. 3 to Senate Bill 544 clarifies that health facilities must prepare and maintain a list of interpreters proficient in sign language according to the Interpreters for the deaf Act -- Deaf Act and list of languages of the population of the geographical area served by the facility. And this bill was actually brought to me -- led by the Racial and Ethnic Health Care {sic} Disparities -- Action Council. And I would ask for your Aye vote.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Is there any discussion? Senator Delgado moves the adoption of Amendment No. 3 to Senate Bill 544. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY SHIPLEY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR MARTINEZ)

3rd Reading. Now on the Order of 3rd Reading, Senate Bill 544. Senator Delgado, do you wish to proceed? Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

Senate Bill 544.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Senator Delgado.

SENATOR DELGADO:

Thank you, Madam President. As amended, Senate Bill 544

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

36th Legislative Day

5/8/2007

strengthens the requirements health facilities must follow in order to ensure that patients with limited English, non-English speaking, and deaf persons will have access to health care information. Further, Senate Bill 544, as amended, requires all health facilities to follow guidelines set forth in the Act and provides additional guidelines that a health facility may utilize. And I would ask for your Aye vote.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Any discussion? Seeing none, the question is, shall Senate Bill 544 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 52 voting Aye, 0 voting Nay, 0 voting Present. Senate Bill 544, having received the required constitutional majority, is declared passed. Senator Delgado, on Senate Bill 549. Senator Cullerton, on Senate Bill 551. Senator Sullivan, on Senate Bill 570. Senator Cullerton, on Senate Bill 593. Senator Cullerton, on Senate Bill 607. Senator Harmon, on Senate Bill 629. Senator Harmon, on 632. Senator Harmon, on 635. Senator DeLeo, on 637. Senator Cullerton, on Senate Bill 650. Senator Link, on Senate Bill 660. On the top of page 8. Senator Link, on 661. Senator Link, on 663. Senator Wilhelmi, on Senate Bill 697. Senator Wilhelmi seeks leave of this Body to return Senate Bill 697 to the Order of 2nd Reading for the purpose of an amendment. Having no objections, leave is granted. On the Order of 2nd Reading is Senate Bill 697. Madam Secretary, are there any amendments approved for consideration?

SECRETARY SHIPLEY:

Yes, Madam President. Floor Amendment No. 3, offered by

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

36th Legislative Day

5/8/2007

Senator Wilhelmi.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Senator Wilhelmi, to explain your amendment.

SENATOR WILHELMI:

Thank you, Madam President. Amendment No. 3 takes out the requirement that computer -- repair technicians must report child pornography found on computers, and I'll be happy to explain the bill on 3rd Reading.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Is there any discussion? Seeing not, Senator Wilhelmi moves the adoption of Amendment No. 3 to Senate Bill 697. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY SHIPLEY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR MARTINEZ)

3rd Reading. Now on the Order of 3rd Reading, Senate Bill 697. Senator Wilhelmi, do you wish to proceed? Senator... Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

Senate Bill 697.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Senator Wilhelmi.

SENATOR WILHELMI:

Thank you, Madam President, Ladies and Gentlemen of the Senate. As amended, Senate Bill 697 creates the offense of

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

36th Legislative Day

5/8/2007

aggravated child pornography, where the child pornography involves depictions of children under the age of thirteen. It provides enhanced penalties for crimes involving children under age -- age thirteen and also expands the offenses which require registration as a sex offender to include aggravated child pornography. This is an initiative of the Attorney General. As a father of two young girls, it -- it concerns me that we have to have a -- a bill like this, but we do. There are people out there that are looking at children under the age of thirteen in a manner that is completely reprehensible and unacceptable. I applaud the Attorney General for her efforts. I'm proud to carry this bill and I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Is there any discussion? Seeing none, the question is, shall Senate Bill 697 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 57 voting Aye, 0 voting Nay, 0 voting Present. Senate Bill 697, having received the required constitutional majority, is declared passed. Senator Sullivan, on Senate Bill 698. Senator Hultgren, on Senate Bill 710. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

Senate Bill 710.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Senator Hultgren.

SENATOR HULTGREN:

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

36th Legislative Day

5/8/2007

Thank you, Madam President. This is an initiative that I've been dealing with the State's Attorneys Association. We've also worked -- been working closely with the Illinois State Police. And what this deals with is allowing -- or -- or requiring, actually, for sex offenders that are imprisoned, to be taking a DNA sample from them. The hope is to build up our database to be able to go after some cold case issues that are out there in regards to sex offenders. And -- so I would -- would also want to mention, the Illinois State Police were originally opposed to this because of a date that's in here. I've talked with Tim Becker with the Illinois State Police and others. They are in favor or supportive of us going ahead and moving this. I've also talked to a House sponsor, where we're able to cleanup the dates there in the House. I'd ask for support. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Is there any discussion? Seeing none, the question is, shall Senate Bill 710 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 57 voting Aye, 0 voting Nay, 0 voting Present. Senate Bill 710, having received the required constitutional majority, is declared passed. Senator -- Senator Hultgren, on Senate Bill 738. With the leave of the Body, we will proceed to page 9, middle of the page. Senator Crotty, on Senate Bill 764. Senator Crotty seeks the leave of this Body to return Senate Bill 764 to the Order of 2nd Reading for the purpose of an amendment. Having no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 764. Madam Secretary,

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

36th Legislative Day

5/8/2007

are there any amendments approved for consideration?

SECRETARY SHIPLEY:

Yes, Madam Secretary -- Madam President, Floor Amendment No. 3, offered by Senator Crotty.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Senator Crotty, to explain your amendment.

SENATOR CROTTY:

The language in Floor Amendment No. 3 to Senate Bill 764 combined 1 -- Floor Amendments 1 and 2 and it has now become the bill, which would be Floor Amendment No. 4.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Is there any discussion? Seeing none, Senator Crotty moves the adoption of Amendment -- Amendment No. 3 to Senate Bill 764. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY SHIPLEY:

Floor Amendment No. 4, offered by Senator Crotty.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Senator Crotty, to explain the amendment.

SENATOR CROTTY:

And now Floor Amendment No. 4 will now become the bill.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Is there any discussion? Seeing none, Senator Crotty moves the adoption of Amendment No. 4 to Senate Bill 764. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY SHIPLEY:

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

36th Legislative Day

5/8/2007

No further amendments reported.

PRESIDING OFFICER: (SENATOR MARTINEZ)

3rd Reading. Now on the Order of 3rd Reading, Senate Bill 764. Senator Crotty, do you wish to proceed? Madam Secretary, read the bill, please.

SECRETARY SHIPLEY:

Senate Bill 764.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Senator Crotty.

SENATOR CROTTY:

Thank you very much. Senate Bill 764 creates the Scratch-out Multiple Sclerosis scratch-off Lottery ticket. Mandates that the General Assembly distribute the revenue generated by the sales of this ticket to the Department of Public Health, which will in turn create grants to be given to Illinois organizations that conduct qualifying research. The beginning date was also moved up to January {sic} (July) 1st, 2008.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Any discussion? Senator Rutherford.

SENATOR RUTHERFORD:

Thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR MARTINEZ)

The sponsor indicates she will.

SENATOR RUTHERFORD:

Thank you, Madam President. Senator Crotty, I mean, this is a good cause and as you -- recall we've had some of these types of things before. How much money is out there for scratch-offs

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

36th Legislative Day

5/8/2007

overall? And that's -- I know that's somewhat of a rhetorical question, but I guess the concern is we have a scratch-off for this good cause, we have a scratch-off -- we've had scratch-offs for other good causes, we'll have a scratch-off for another good cause tomorrow. Do you not see that there's a defined amount of money that people actually spend in scratch-off and then when that -- and if it goes here, it'll take away from another good cause out there?

PRESIDING OFFICER: (SENATOR MARTINEZ)

Senator Crotty.

SENATOR CROTTY:

Well, I think it just allows a person choice on where they would like those dollars to go. And this was brought by the Multiple Sclerosis Society to me and I think it's a very good choice.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Any further discussion? Senator Righter.

SENATOR RIGHTER:

Thank you, Madam President. Will the sponsor yield, please?

PRESIDING OFFICER: (SENATOR MARTINEZ)

Indicates she will.

SENATOR RIGHTER:

Thank you, Madam President. Senator Crotty, no one questions I think the validity or the -- the virtue of the goal here or the program, but as Senator Rutherford talked about, I think we all need to recognize there is a finite number of dollars available in this pool. In other words, just because there's a new scratch-off game, people aren't going to now up the amount of money they're spending per week at Lottery games from

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

36th Legislative Day

5/8/2007

twenty-five to thirty bucks or thirty-five or whatever it's going to be. Would you not recognize that by adding new games that you are diminishing how much the current recipients of Lottery funds receive? Would you not admit that?

PRESIDING OFFICER: (SENATOR MARTINEZ)

Senator Crotty.

SENATOR CROTTY:

No, I would not. And a matter of fact, there may be some persons who have never played the Lottery, but seeing that it is designated for research on MS, I would think that more people may even purchase those tickets.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Senator Righter.

SENATOR RIGHTER:

Senator Crotty, do you have any figures which would, I guess, support that claim, that since we've added -- I don't know we've added three or four games at least in the last few years to Lottery games. Is there any figures to support that, in fact, the overall amount -- overall amount of money that's being dedicated to Lottery games is going up so no one's losing money?

PRESIDING OFFICER: (SENATOR MARTINEZ)

Senator Crotty.

SENATOR CROTTY:

I have -- I have no research to -- to say that that is true.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Senator Righter.

SENATOR RIGHTER:

To the bill, please, Madam President.

PRESIDING OFFICER: (SENATOR MARTINEZ)

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

36th Legislative Day

5/8/2007

To the bill.

SENATOR RIGHTER:

Thank you. Ladies and Gentlemen of the Senate, this is a tough No vote, it is, because we don't like to talk about the fact that we have finite resources here and that we can't do everything. With all due respect to Senator Crotty and the people who brought this bill to her, the fact is the people that Senator -- Crotty talked about who are dedicated to the issue of multiple sclerosis are already engaged and they're already giving their money. Those people are involved in community organizations and they're writing those checks right now, and I don't know that there's any evidence to back up the claim that now they're going to go play additional Lottery games either. The people who go and play those games play those games not because of the causes they support, they play those games in order to win a big pot of money, and I don't think there's anything to suggest that the pot of money is going to grow if we add this, and in fact, what's going to happen is less money -- incrementally less money is going to go to the causes that this General Assembly says it's -- already supports. With regret, I would urge a No vote. Thank you, Madam President.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Any further discussion? Senator Holmes.

SENATOR HOLMES:

I would like to speak in favor of the bill. I would just like to say, I completely understand that there is only a certain amount of money to go around, and that is actually true in every bit of charitable giving we give. Many of us give to causes that we feel are important. And we can't say by giving to one cause

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

36th Legislative Day

5/8/2007

it's taking away from another. What it does is it gives us a choice to give to a cause that has either personally touched our lives, touched a member of our family, and it gives us the ability to give where we choose to give, where we want our dollars to go. So I would urge a Yes vote. Thank you.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Senator Crotty, to close.

SENATOR CROTTY:

I would just ask for a favorable vote.

PRESIDING OFFICER: (SENATOR MARTINEZ)

The question is, shall Senate Bill 764 pass. Those in favor, will vote Aye. Those opposed, Nay. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 40 voting Aye, 14 voting Nay, and 0 voting Present. Senate Bill 764, having received the required constitutional majority, is declared passed. Senator Crotty, on Senate Bill 765. Senator Crotty seeks leave of this Body to return Senate Bill 765 to the Order of 2nd Reading for the purpose of a -- of an amendment. Having no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 765. Madam Secretary, are there any amendments approved for consideration?

SECRETARY SHIPLEY:

Yes, Madam President. Floor Amendment No. 6, offered by Senator Crotty.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Senator Crotty, to explain your amendment.

SENATOR CROTTY:

Thank you very much. Amendment No. 6 now becomes the bill.

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

36th Legislative Day

5/8/2007

PRESIDING OFFICER: (SENATOR MARTINEZ)

Any discussion? Seeing none, Senator Crotty moves the adoption of Amendment No. 6 to House Bill -- Senate Bill - sorry Senate Bill 764. All those in favor will -- 765. Those in favor will vote Aye -- will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY SHIPLEY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR MARTINEZ)

3rd Reading. Now on the Order of 3rd Reading, Senate Bill 765. Senator Crotty, do you wish to proceed? Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

Senate Bill 765.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Senator Crotty.

SENATOR CROTTY:

Thank you very much. Senate Bill 765 has been a work of art for three years. It amends the Disabilities Service Act of 2003 and the Illinois Act on Aging to mandate the creation of a flexible system of financing for -- long-term services and supports in Illinois that would allow available Medicaid funds to be spent on home and community-based services when an individual residing in an institution or -- long-term care facility moves to an appropriate setting by their choice. It also says an eligible person is defined as a person who has resided in a facility for

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

36th Legislative Day

5/8/2007

more than six months, is receiving Medicaid payments for long-term services furnished by that facility, and that person would require similar care already being provided in the home and the community-based service, have been deemed appropriate by an inter-disciplinary team or case managers. Participation would be voluntary. The patient is not receiving acute mental health care and is not committed to a mental health or developmental center of forensic programs. This has been worked on by many different groups. This Session, it was meetings at midnight and then we convened at 7 o'clock this -- in the morning to finish up on some language. This is just a start, but it certainly is time that we look at persons with disabilities having a choice in where they live and the services that we -- that we provide them. This is a big step as far as I'm concerned with the Holmstead -- the Olmstead decision of '99. Thank you. And I'll answer any questions.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Any discussion? Senator Radogno.

SENATOR RADOGNO:

Thank you, Madam President. Just to the bill: This -- the sponsor deserves a lot of credit for pulling all parties together on this. This State has been unbelievably slow in implementing the Olmstead Act -- or, the Olmstead decision, which requires people to be in the least restrictive setting that they want to be in. This is a good bill. It's not finished. I also need to point out that the Department of Human Services put a four-hundred-million-dollar price tag on that. I think that is excessive and does not take into account the savings that will accrue from having people served in the community. So, kudos to

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

36th Legislative Day

5/8/2007

the sponsor. There's more work to be done in the House, but this is a very good bill and I would urge everyone to vote in favor of it.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Any further discussion? Senator Risinger.

SENATOR RISINGER:

Thank you, Madam President. I want to also echo the praises of the Senator. She's worked very hard on this. This is an area that needs work and -- and -- and she's done a very good job. And as she said, that we're not done yet, but we're certainly moving in the right direction, and this is a huge step and I know you've put a lot of effort into it. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Further discussion? Senator Haine.

SENATOR HAINE:

Thank you very much, Madam President, Ladies and Gentlemen of the Senate. I want to add to the chorus of praise for this wonderful and esteemed Senator who's worked, as was indicated, for many years on this bill, and she took the time to have hearings around the State, one of 'em in my district, which I appreciated very much. It brought much light on this very difficult balancing that she has been doing on this effort. So my congratulations and -- and -- and it's -- it's a work in progress, but it's -- as was indicated, it's certainly a work going in the right direction. Thank you, Senator. I will vote -  
- be voting Aye.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Any further discussion? Senator Crotty, to close.

SENATOR CROTTY:

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

36th Legislative Day

5/8/2007

Thank you very much for all your kind comments and I need a Yes vote.

PRESIDING OFFICER: (SENATOR MARTINEZ)

The question is, shall Senate Bill 765 pass. Those in favor will vote Aye. Those opposed, Nay. The -- the voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 56 voting Aye, 0 voting Nay, 0 voting Present. Senate Bill 765, having received the required constitutional majority, is declared passed. There being no further business to come before the Senate, the Senate stands adjourned until the hour of 11 o'clock tomorrow, Wednesday, May 9th, 2007. Senator Clayborne, for what purpose do you rise?

SENATOR CLAYBORNE:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR MARTINEZ)

State your purpose, please.

SENATOR CLAYBORNE:

Behind me in the -- in the gallery are students from East St. Louis Senior High - the school that I graduated from - and I'd like for them to be welcomed.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Will our guests please rise in the gallery? Will the Senate please welcome them to Springfield? Please rise. The Senate stands adjourned until 11 o'clock tomorrow morning, Wednesday, May 9th, 2007. The Senate stands adjourned.